



Jon S. Corzine
Governor

State of New Jersey
Department of Community Affairs
Division of Codes and Standards
PO Box 802
Trenton, New Jersey 08625-0802



Susan Bass Levin
Commissioner

FTO-1

Date: **June 20, 1983**
Code Ref. Update: **June 2006**

Subject: **Shopping Cart Corrals**

Reference: N.J.A.C. 5:23-2.9;
N.J.A.C. 5:23-2.32;
N.J.A.C. 5:23-7, Barrier
Free Subcode; Building
Subcode Section 1006

Some mercantile facilities -- particularly in urban areas -- have erected stanchions close to their exit doors, commonly referred to as shopping-cart corrals, in order to restrict the removal of shopping carts. The Building Subcode requires that:

All exits shall discharge directly at a public way, or at a yard, court, or open space of the required width and size to provide all occupants with a safe access to a public way. Reduction of any portion of the access to a public way below the minimum width required for the exit-way discharge is considered an obstruction of the path of travel and is not allowed. (Building Subcode Section 1006)

Representatives from mercantile facilities maintain they will suffer substantial financial loss if they are not allowed to erect these corrals. N.J.A.C. 5:23-2.9 states that variations and exceptions are allowed to be made if:

1. Strict compliance with any specific subcode provision, if required, would result in practical difficulty to such owner, and
2. That the exception, if granted, will not jeopardize the health, safety, and welfare of intended occupants and the public generally.

A definitive solution to all situations which would allow shopping-cart corrals and comply with N.J.A.C. 5:23-2.9 appears nonexistent at this time. The problem has two aspects which must be considered separately.

EXISTING BUILDINGS

N.J.A.C. 5:23-2.32 states that "All buildings that shall become unsafe, or which contain deficient or blocked exit-way facilities, or which constitute a fire hazard

FORMAL TECHNICAL OPINION

... shall be deemed unsafe buildings or structures” A facility having a shopping-cart corral does not provide safe access, constitutes a fire hazard, and thus is an unsafe structure.

The Department of Community Affairs has determined the point at which existing cart corrals ***do not*** pose a fire hazard, in accordance with N.J.A.C. 5:23-2.32. They should be permitted to continue where the following four considerations are met:

1. On the outside of the exit door there must be a clear, unobstructed minimum dimension of 10 feet in the direction of exit travel; therefore, corral posts or railing will be installed no closer than 10 feet to the exit door (on a line perpendicular to the door jamb). Additionally, the storage of shopping carts will not be permitted within this 10-foot dimension.
2. Shopping-cart corrals must be of sufficient area to allow free movement of people within and through the corral.
 - a. For corrals enclosed with posts, a minimum area of 1,000 square feet is required within the corral.
 - b. For corrals enclosed with railings having openings every five feet, a minimum area of 1,500 square feet is required within the corral.
3. In case of emergency, means of egress must be provided and all locking devices associated with all the emergency exits from the store must be automatically released.
4. There must be at least one means of egress in addition to any through the limits of the cart corral.

NOTE: *Where corrals meeting these conditions are permitted, the local code enforcement officials should perform periodic (not less than four times annually is recommended) inspections of corrals to ascertain that accumulation of shopping carts do not occur in the safe-access path area.*

Where existing corrals do not meet these four conditions, a fire hazard within the meaning of NJAC 5:23-2.32 shall be deemed to exist and the local enforcing agency shall enforce the law as provided for unsafe structures.

NEW CONSTRUCTION

New construction for which a permit is issued must meet the requirements of the Barrier Free Subcode, as well as conforming to the fire-safety requirements set forth in the Building and Fire Protection Subcodes.

These corrals must provide for barrier-free access. N.J.A.C. 5:23-7.7(a) requires 50 percent of the entrances, but not less than one entrance, to be accessible. Also, the primary entrance(s) used for the general public is required to be accessible.

This can only be accomplished by an entrance/exit doorway which is located outside the limits of the corral and readily openable for travel in either direction. This can be an additional double-acting door or the electronically operated entrance equipped to be frozen in the open position for handicapped egress. It and all other required exits must conform in all respects to the requirements for exits established by the Building Subcode and the Barrier Free Subcode. It is permissible for the **internal** arrangement of the building to provide for a gate or other form of control which limits barrier-free passage from the area behind the check-out lanes to the barrier-free exit door located outside the corral-limited area provided, however, this gate is so located that it may be readily opened for wheelchair egress. In case of emergency, a rapid means of barrier-free egress must be provided and all locking devices associated with the emergency exits must be automatically released.

The design of the corral itself should conform to the four conditions established herein and listed under EXISTING BUILDINGS.

Paul Staudt, Jr.
Assistant Chief
Bureau of Construction Code Enforcement

PURSUANT TO AUTHORITY OF N.J.S.A. 52:27D-119 ET SEQ., AS AMENDED, THE ABOVE FORMAL TECHNICAL OPINION IS CONSIDERED TO BE BINDING UPON ALL CODE OFFICIALS.

FORMAL TECHNICAL OPINION